

AMENDED IN ASSEMBLY APRIL 17, 2008

AMENDED IN ASSEMBLY MARCH 24, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

## ASSEMBLY BILL

**No. 2900**

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**Introduced by Assembly Member La Malfa**

February 22, 2008

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An act to ~~amend Section 13385 of~~ *add Section 13385.4 to* the Water Code, relating to water.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2900, as amended, La Malfa. Water quality: *mandatory minimum* civil penalties.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act (act). The act, with certain exceptions, imposes a mandatory minimum penalty of \$3,000 for each serious waste discharge violation, as defined, or for certain other described violations if those violations occur 4 or more times in any period of 6 consecutive months, as prescribed.

~~This bill would require mandatory civil penalties imposed administratively pursuant to these provisions by the state board or a regional board to be imposed within 12 months of learning of a violation, and mandatory civil penalties petitioned to a superior court by the Attorney General to be requested by a regional board or the state board within 12 months of learning of a violation~~ *the state board or a regional board to expeditiously take appropriate action to assess any mandatory minimum penalty.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 13385.4 is added to the Water Code, to*  
2     *read:*  
3     *13385.4. The state board or a regional board shall*  
4     *expeditiously take appropriate action to assess any mandatory*  
5     *minimum penalty pursuant to Section 13385 or 13385.1.*

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<p><b>All matter omitted in this version of the bill appears in the bill as amended in the Assembly, March 24, 2008 (JR11)</b></p>
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